



Entered on Docket  
August 09, 2006

Hon. Linda B. Riegle  
United States Bankruptcy Judge

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Attorneys for Debtors and Debtors-in-Possession

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re: USA COMMERCIAL MORTGAGE COMPANY, Debtor.	Case No. BK-S-06-10725 LBR Case No. BK-S-06-10726 LBR Case No. BK-S-06-10727 LBR
In re: USA CAPITAL REALTY ADVISORS, LLC, Debtor.	Case No. BK-S-06-10728 LBR Case No. BK-S-06-10729 LBR
In re: USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC, Debtor.	Chapter 11 Jointly Administered Under Case No. BK-S-06-10725 LBR
In re: USA CAPITAL FIRST TRUST DEED FUND, LLC, Debtor.	Date: N/A Time: N/A
In re: USA SECURITIES, LLC, Debtor.	

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Affects:

- ☐ All Debtors
- ☒ USA Commercial Mortgage Company
- ☐ USA Securities, LLC
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA First Trust Deed Fund, LLC

**STIPULATION AND ORDER REGARDING EXTENSION OF TIME TO ASSUME OR REJECT LEASE WITH HASPINOV, LLC [AFFECTS USA COMMERCIAL MORTGAGE COMPANY]**

USA Commercial Mortgage Company, Debtor and Debtor-in-Possession ("Debtor"), by and through its counsel, Jeanette E. McPherson, Esq. of Schwartz & McPherson Law Firm, and Haspinov, LLC, by and through its counsel, Jeffrey R. Sylvester, Esq., hereby stipulate and agree as follows:

**WHEREAS** the Debtor filed its voluntary petition for relief under Chapter 11 of Title 11 of the United States Bankruptcy Code on April 13, 2006 (the "Petition Date"), and the Debtor continues to operate its business and possess its property as a debtor-in-possession pursuant to Bankruptcy Code §§ 1107 and 1108.

**WHEREAS** the Debtor is a lessee under an "Office Lease" with Haspinov, LLC ("Haspinov") as the landlord (the "Lease").

**WHEREAS**, under the Lease, the Debtor leases real property located at 4480 South Pecos Road, Las Vegas, Nevada 89121 (the "Premises").

**WHEREAS** the term of the Lease was to commence on April 1, 2002 and is to expire "on the same day of the 120<sup>th</sup> successive month following the first month of the lease, said term being ten years."

**WHEREAS** due to the status of this bankruptcy case, the Debtor has not made a decision whether to assume or reject the Lease.

**WHEREAS** the time to assume or reject the Lease under 11 U.S.C. § 365(d)(4) expires on August 11, 2006.

**WHEREAS** because the Debtor has not made a decision whether to assume or reject the Lease due to the status of this bankruptcy case, "cause" under 11 U.S.C. § 365(d)(4) exists to

extend the time for the Debtor to assume or reject the Lease.

**NOW, THEREFORE**, in consideration of the foregoing, the Debtor and Haspinov agree as follows:

1. The foregoing recitals are true and incorporated herein in full.

2. The deadline for the Debtor to assume or reject the Lease under 11 U.S.C. § 365(d)(4) is hereby extended to and including November 11, 2006.

DATED: August 8, 2006

DATED: August 8, 2006.

/s/ Jeanette E. McPherson

Jeffrey R. Sylvester, Esq.

Jeanette E. McPherson, Esq.

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Attorneys for Haspinov, LLC

**ORDER**

**IT IS SO ORDERED.**

Submitted By:

/s/ Jeanette E. McPherson

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